

# Order

**Michigan Supreme Court  
Lansing, Michigan**

December 27, 2005

Clifford W. Taylor,  
Chief Justice

128973

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

In re FRANCES WILLIAMS MESSER  
TRUST, DATED JANUARY 10, 1939.

---

FIFTH THIRD BANK, formerly known as,  
OLD KENT BANK & TRUST, Trustee,  
Petitioner-Appellee,

v

SC: 128973  
COA: 249456  
Kent Probate Ct: 92-153441-TV

REMAINDER BENEFICIARIES,  
Respondents-Appellants.

---

On order of the Court, the application for leave to appeal the March 22, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.



d1219

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 27, 2005

---

*Corbin R. Davis*

---

Clerk